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SUBJECT: FORMER LEGCO PRESIDENT DISCUSSES HONG KONG'S
POLITICAL CHALLENGES

Classified By: Consul General Joe Donovan for Reasons 1.4 (B) and (D).

¶1. (C) Summary: Former Hong Kong Legislative Council (LegCo) President Rita Fan sees Chief Executive (CE) Donald Tsang's reluctance to accept LegCo's legitimate role in Hong Kong's governance as the main cause of the deteriorating legislative-executive relationship. Fan argues it is a politician, not a businessman or bureaucrat, that Hong Kong needs as CE. Despite the current difficulties, Fan is confident even upstart members of LegCo will come to recognize resorting to theatrics for attention will cost them the respect of the public. Hong Kong government officials often resist Hong Kong National People's Congress (NPC) deputies' offers to raise issues with the central government, claiming they have their own established channels to Beijing. End summary.

¶2. (C) Comment: Although widely-seen as pro-government, Fan as LegCo President enjoyed the esteem of the entire political spectrum for her neutrality on political issues and fair and adept administration of LegCo. Fan went as far as to forswear voting during her 11-year tenure (1997-2008) to avoid taking sides. Although politically sensible, this stance made it difficult to gauge Fan's real views. Her frank observations at this meeting offered a unique glimpse into Fan's thinking, the close attention she still pays to local politics, and her genuine concern that the Hong Kong people are not getting the highest quality of governance. Though her future plans are not known, and her role with the NPC Standing Committee regarding Hong Kong is not clear, Fan remains an important figure in Hong Kong politics. End comment.

Hong Kong's Past Partly Explains Current Tensions

¶3. (C) During a December 4 meeting with the Consul General, former Legislative Council (LegCo) President and current Hong Kong deputy on the National People's Congress (NPC) Standing Committee Rita Fan shared her views on Hong Kong's current political tensions, leadership shortcomings, and constraints Hong Kong NPC deputies face. Responding to the CG's question about her view of LegCo's role in the current political climate, Fan said the collegial relationship which existed between the last colonial government and LegCo has broken down, producing the current tense relationship. While Hong Kong's British-appointed Governor had the final say, behind closed doors the colonial government actively consulted with legislators and was genuinely receptive to their input. Given that past level of participation (which many LegCo veterans experienced personally) and the fact that half of the legislators are popularly elected, it is only natural that legislators want to have more say now. Fan also thinks it is equally natural for the (unelected) government to feel insecure about sharing its power, particularly with "opposition" lawmakers. The result is a fundamental disagreement about the two entities' legitimate political

roles, and Fan sees the divide growing.

14. (C) Everyone accepts the goal is to elect the Chief Executive (CE) by universal suffrage in 2017, but the question is how does Hong Kong get there? Fan questioned whether LegCo, particularly the pan-democrats, and CE Tsang can reach consensus on the composition of the nominating committee for the CE and the future of the functional constituency (FC) seats. (Note: The 30 FC seats are selected by and represent key business, professional, and social sectors. Electorates are small, with some seats chosen by less than 200 people. End note.) Besides these technical differences, Fan sees a more fundamental debate emerging, which is whether a weak government will "do the right thing." (Comment: Fan did not specify, but her subsequent comments on the need for the CE to be open-minded and willing to compromise suggest she defines demonstrating those traits as the "right" course of action. End comment.) The pro-government Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) has shown an increasing willingness to criticize the government, Fan pointed out, which further suggests the government can no longer depend on automatic support for its proposals.

15. (C) The government's political difficulties could be easily solved, Fan asserted. The CE needs only to demonstrate he has a willing ear to good ideas from all parts of the political spectrum. Showing respect and acknowledging the contribution of legislators to proposals the government ultimately adopts will go a long way in improving LegCo-executive relations. Fan recalled the time when Tsang as Financial Secretary publicly credited all the legislators,

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including the pan-democrats, for their input to developing the following year's budget. The legislators unanimously welcomed his comments. Legislators are no longer in LegCo because the government appointed them, Fan says, and must now answer to the people who elected them. The CE can help by simply giving them credit when they deserve it so they in turn can demonstrate to their constituents they are fulfilling their duty. "After all," said Fan, "isn't that the first rule of democracy?"

What Hong Kong Needs is a Politician

16. (C) Fan sees a politician as someone who is willing and able to work with many different groups of people, compromising when necessary but always able to make everyone feel included and appreciated. Neither a bureaucrat nor businessman has those traits, Fan argued. (Note: CE Tsang was a career civil servant and former CE C.H. Tung is a shipping magnate. End note.) A businessman controlling a large corporation expects underlings to serve "the top" without any consideration for proper acknowledgment or appreciation. The same mentality applies to high-level bureaucrats, Fan contends, who expect their staff to simply execute their policies with little regard for their views.

17. (C) The LegCo-executive relationship is now dominated by emotion, Fan noted. Inappropriate rhetoric is often used, and the administration feels it is being attacked from all sides. The administration sees appearing in LegCo as a "ghastly" experience, further discouraging them to engage more with legislators. If the government is reluctant to consult LegCo, the CG inquired, is there a risk of legislators increasingly resorting to political stunts and obstruction to attract attention? Fan was confident legislators would not do so since most Hong Kong people are not willing to accept such behavior. She has faith that even League of Social Democrats firebrand Raymond "Mad Dog" Wong will soon recognize that LegCo as an organization will lose the public's respect if members exhibit distasteful behavior. (Note: Wong most recently threw bananas at the CE during

the CE's October Policy Address at LegCo. End note.)

NPC Deputies and SARG: Two Roads to Beijing

18. (C) Although the only Hong Kong member of the National People's Congress (NPC) Standing Committee, Rita downplayed her role, describing herself simply as "a small bridge" between Hong Kong and Mainland China. She tries to serve that role by reflecting Hong Kong people's views and advocating for Hong Kong's needs, but she and her 35 fellow Hong Kong NPC deputies do that without the Hong Kong government's cooperation. Upon further probing by the CG, Fan explained that the government does not keep the NPC deputies informed of its plans and rarely seeks their input. At most, the government may meet the deputies twice a year. Fan contends that even when the deputies specifically ask the administration if there are issues they might raise with Beijing, the administration usually declines on the grounds that they have their own channels. Responding to the CG's question whether that runs the risk of the deputies and the government sending Beijing contradictory messages, Fan was confident the central government uses its "many channels" to stay on top of Hong Kong developments.
DONOVAN